

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

**HICA EDUCATION LOAN
CORPORATION,**

Plaintiff,

v.

AVRIL L. ULETT,

Defendant.

Civ. No. 2:11-cv-00434 (WJM)

OPINION

WILLIAM J. MARTINI, U.S.D.J.:

Plaintiff HICA Education Loan Corporation (“HICA”) filed this action against Defendant Avril L. Ulett, a/k/a Avril L. Ulett Atwell, seeking a judgment against Defendant for an unpaid student loan. On September 10, 2012, the Court entered judgment in favor of Plaintiff and against Defendant. This matter comes before the Court on Plaintiff’s motion for attorneys’ fees and costs pursuant to Federal Rule of Civil Procedure 54. The motion is unopposed. There was no oral argument. Fed. R. Civ. P. 78(b). For the reasons set forth below, Plaintiff’s motion is **GRANTED**.

Under Local Civil Rule 54.2, attorneys’ fees may be awarded to a prevailing party in federal litigation only where authorized by statute, court rule, or contract. L. Civ. R. 54.2 cmt. 2. The promissory note that forms the basis of Plaintiff’s claims in this case provides, “I promise to pay to the Student Loan Marketing Association, or a subsequent holder of this Promissory Note (‘Lender’), all sums disburse (hereafter ‘loan’) under the terms of this Note to discharge my prior loan obligations, plus interest and other fees which may become due as provided in this Note. If I fail to make payments on this Note when due, I will also pay reasonable collection costs, including attorneys’ fees, court costs, and late fees.” *See* Compl. Ex. 1, ECF No. 1. Because Defendant contractually agreed to pay collection costs to Plaintiff in this case, an award of reasonable attorneys’ fees and costs is warranted.

Plaintiff requests that it be awarded attorneys’ fees in the amount of \$6,450.00 and costs in the amount of \$450.00. In support of its request, Plaintiff attaches several supporting exhibits in accordance with Local Civil Rules 54.1(b) and 54.2(a). The Court

has reviewed the supporting exhibits and is satisfied that the number of hours worked, the billing rates, and the costs sought are reasonable. Accordingly, Plaintiff's motion for attorneys' fees and costs is **GRANTED**, and Plaintiff is awarded \$6,450.00 in attorneys' fees and \$450.00 in costs. An appropriate order follows.

/s/ William J. Martini

WILLIAM J. MARTINI, U.S.D.J.

Date: October 11, 2012